British Columbia. Human rights commission.
Workplan for the legislation review
committee, 1980-81. 1980.

# WORKPLAN FOR THE LEGISLATION REVIEW COMMITTEE 1980 - 81

The process of law making from the stage where ideas are talked about to the stage where legislation is adopted usually involves a complex series of steps. Bills are proposed to the Legislative Assembly by Members of the Assembly. Bills that become legislation are almost always proposed by the Cabinet Minister with responsibility in the area. Those bills supported by a majority of the Members of the Assembly become legislation.

Often legislation is adopted as a result of the influence of groups outside the Legislature, such as the Human Rights Commission. In the case of the Human Rights Code, any legislation would be channeled through the Legislature by the Minister of Labour. Suggestions for changes to the Code should be made by the Human Rights Commission to the Minister of Labour.

The following is a more detailed list of the steps that must be taken before any changes to the Code are presented to the Legislature for consideration. The steps are as follows:

(1) Research Stage: develop a well researched brief on the proposed legislation.

In order to prepare the brief the Legislation Review Committee will have to examine the legislation and experiences of other provinces and jurisdictions and receive proposals from interested groups in the Province informally. A well researched brief will do the following:

- outline the problems that need to be addressed by the legislation
- explain, for each problem, why the legislation is inadequate
- indicate the solution proposed
- state who will benefit from the proposed change and how they will benefit
- state who will be affected adversely by the proposed changes and how they will be affected
- state on the balance whose interests need to be protected and why
- state alternative solutions that could be adopted
- explain the advantages and disadvantages of these alternatives
- state the monetary cost of the proposal to Government and to groups in the community

LEGISLATIVE LIBRARY OF ONTARIO TORONTO
MAR 03 1980
RECEIVED

# WORKPLAN FOR THE LEGISLATION REVIEW COMMITTEE 1980 - 81

The process of law making from the stage where ideas are talked about to the stage where legislation is adopted usually involves a complex series of steps. Bills are proposed to the Legislative Assembly by Members of the Assembly. Bills that become legislation are almost always proposed by the Cabinet Minister with responsibility in the area. Those bills supported by a majority of the Members of the Assembly become legislation.

Often legislation is adopted as a result of the influence of groups outside the Legislature, such as the Human Rights Commission. In the case of the Human Rights Code, any legislation would be channeled through the Legislature by the Minister of Labour. Suggestions for changes to the Code should be made by the Human Rights Commission to the Minister of Labour.

The following is a more detailed list of the steps that must be taken before any changes to the Code are presented to the Legislature for consideration. The steps are as follows:

(1) Research Stage: develop a well researched brief on the proposed legislation.

In order to prepare the brief the Legislation Review Committee will have to examine the legislation and experiences of other provinces and jurisdictions and receive proposals from interested groups in the Province informally. A well researched brief will do the following:

- outline the problems that need to be addressed by the legislation
- explain, for each problem, why the legislation is inadequate
- indicate the solution proposed
- state who will benefit from the proposed change and how they will benefit
- state who will be affected adversely by the proposed changes and how they will be affected
- state on the balance whose interests need to be protected and why
- state alternative solutions that could be adopted
- explain the advantages and disadvantages of these alternatives
- state the monetary cost of the proposal to Government and to groups in the community

The research document and proposals for change to the present Human Rights Code must be presented to, and approved by, the full Commission.

(2) Public Hearing Stage: the Commission must develop public support for proposals to change the Human Rights Code.

An enlarged Legislation Review Committee, or the full Commission, must invite comment and reaction to its proposals;

- receive submissions and briefs from the public
- change the Commission's proposals in response to new information
- submit changes for approval of the full Commission
- list groups that support or oppose the proposals or feel that the proposals do not go far enough, and briefly indicate the reasons why various groups take these positions

(3) Submit proposals to the Minister of Labour: the brief must be submitted to the Minister of Labour for his examination and consideration. When necessary discussions have taken place and the brief is in acceptable form, the Minister will arrange for the Ministry's lawyer to prepare draft legislation necessary to implement those portions of the proposal agreed to.

(4) Filing of Draft Legislation with the Attorney General: the draft legislation is examined by the Ministry of the Attorney General for technical and constitutional problems. Any changes needed can be discussed and made.

(5) Introduction of a Bill for consideration of the Legislature: the Minister of Labour files the Bill for consideration of the Legislature. It may be necessary to lobby with the M.L.A.'s for support of the Bill and it may be necessary to discuss any amendments proposed in the assembly, providing information for consideration.

The success of any project for proposing changes to Legislation depends on a number of factors:

1) Quality of Research: any brief must be well researched

2) Support for the Legislation: public interest groups and Members of the Legislature must support the legislation

Delay is caused by failure of the Commission to research its proposals and convince the public to support the legislation. If the Government is sensitive to objections and if objections are

not answered or compromises are not made which will provide for greater support, legislative changes will not occur.

Legislation Review Committee

H. Crosby, Chairman

HUMAN RIGHTS COMMISSION
OF
BRITISH COLUMBIA
PARLIAMENT BUILDINGS
VICTORIA, B.C.
387-3015

January 28, 1980

The Legislation Review Committee of the British Columbia Human Rights Commission is requesting assistance to prepare a well researched brief proposing changes to the British Columbia Human Rights Code.

Any person or group wishing to present ideas to the Commission is requested to prepare a written background paper setting out as much of the following information as possible:

1) What are the problems that need to be resolved by legislative change?

2) Explain why the present legislation is not adequate.

3) Indicate the changes to legislation you would propose.

4) State who will benefit from proposed changes and how they will benefit.

5) If anyone is adversely affected by the proposed changes state who is adversely affected and how they will be affected.

6) If some people are adversely affected, state on the balance whose interests should be protected and why those interests should have priority.

7) Indicate if the proposed changes will cost the Government or the public any money, and indicate what the costs will be. If some estimates of the cost can be given, please supply estimates.

8) Indicate any alternate solutions that have been considered.

9) Explain the advantages and disadvantages of each alternative.

Please write the Victoria Office of the Commission immediately at 880 Douglas St., Victoria, B.C. V8W 2B7 to indicate your areas of interest, name, address, phone number, and the date by which your paper can be completed. It is hoped that all submissions can be made before March 8, 1980.

The Legislation Review Committee will try to meet with as many groups and individuals as possible to discuss submissions.

The enclosed paper outlines the Workplan of the Legislation Review Committee.

Sincerely,

Harry Crosby, Commissioner
Chairman, Legislation Review
Committee